

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

Claims 81, 82, 84, 85, 73, 77, 74, 78, 1-5, 7-9, 11, 12, 14-16, 18-20, 22-27, 36-40, 42-44, 46, 47, 49-51, 53-55 and 57-62 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent 6,891,833 to Caves et al. Claims 13, 17, 48, 52, 75, 79, 83, and 86 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 6,430,189 to 6,891,833 to Caves. All prior art rejections are respectfully traversed for at least the following reasons.

Independent apparatus claim 81 and independent method claim 84 both recite a connection handling functionality over the cluster of the plural processors. The connection handling functionality comprises software objects configured for setup or release of connections; with the software objects including a connection object configured to activate a resource user plane control object corresponding to a particular user plane resource involved in a bearer service connection.

As previously stated, independent claims 81 and 84 distinguish over U.S. Patent 6,891,833 to Caves et al. Caves does not disclose a structure of software objects as recited in the present claims, and really does not discuss software much if at all. Caves does not teach or suggest any software objects which correspond to the resources of pool 63, much less the activation of any resource-corresponding objects by a connection object.

Pages 3 *et seq* of the office action appear to allege that Caves teaches software objects merely because Caves has an AAL2 signaling server that gives instructions (col. 5, lines 15 – 18) and has a “control element”. While liberally quoting from Applicants’ claims as if the verbiage were from Caves, the office action only punctuates Applicants’ claim language with unexplained references numerals/figure numbers/or sentence citations to Cave. The office action does not provide any explanation of how Caves’ mere presence of a

signaling server or control element can be interpreted to anticipate Applicants' software object structure, among other claim limitations.

Even if Caves' control element were construed to be a processor or the like which executes software (which is not certain), Caves never inputs to his control element any type of software structure, much less an object-oriented structure comprising "a connection object and a resource user plane control object, the connection object being configured to activate the resource user plane control object, the resource user plane control object corresponding to a particular user plane resource involved in the connection".

Furthermore, there is no indication that Caves' control element (38, 58, 78) is involved with resource allocation and activation. Rather, Caves' control element participates in signaling for the purpose of activating a central AAL2 switch (see, e.g., col. 6, lines 13 – 23; col. 6, lines 31 – 35; col. 7, lines 44 – 55; col. 7, lines 67 – col. 8, line 9; col. 9, lines 9 – 20; col. 9, lines 41 – 50).

Applicants believe that the office action has taken inordinate liberty in presuming that cryptically-referenced Caves elements execute software objects of the type, nature, and inter-relationship as required by Applicants' claims. The office action is, in large measure, a hindsight infusion into Caves' "control element" of software structure not described by Caves. The rejections are thus improper, and certainly cannot stand as an alleged anticipation.

While addressing primarily the independent claims, Applicants also note that various dependent claims have separate patentable merit. By way of non-limiting and non-exhaustive example, dependent claims 3 and 38 (and numerous claims dependent thereon) concern, e.g., a predistributor which routes incoming signaling messages to an appropriate processor of the processor cluster. The office action equates the very same Caves' element (78) and same passage (9:15 – 20) as corresponding both to the Caves' control element and the predistributor. This double equation evidences the lack of specificity of the Caves'

disclosure and Caves' failure to teach the software structural aspects of the Applicants' claims.

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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